

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Lifeline and Link-Up

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) WC Docket No. 03-109
)
)

**APPLICATION OF T-MOBILE USA, INC. FOR TEMPORARY
DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

Pursuant to the *Katrina Order* issued by the Federal Communications Commission (“Commission” or “FCC”) on October 14, 2005,¹ T-Mobile USA, Inc. (“T-Mobile”)² requests that it be temporarily designated as an eligible telecommunications carrier (“ETC”) in order to participate in the wireless Lifeline universal service program adopted specifically to assist victims of Hurricane Katrina.³ T-Mobile strongly supports the Commission’s efforts to offer relief to the tens of thousands of people whose lives have been affected by Hurricane Katrina. T-Mobile meets each of the requirements set forth in the *Katrina Order* for participation in the Lifeline program, and the Commission’s temporary designation of T-Mobile as an ETC to provide wireless Lifeline services benefits the public interest.

¹ *Federal-State Joint Board on Universal Service*, Order, CC Docket Nos. 96-45, 02-6, WC Docket Nos. 02-60, 03-109, FCC 05-178 (rel. October 14, 2005) (“*Katrina Order*”).

² T-Mobile is one of the largest national wireless providers in the United States, with licenses covering 253 million people in 46 of the top 50 U.S. markets. T-Mobile currently serves more than 20 million customers.

³ Consistent with the *Katrina Order*, T-Mobile seeks temporary ETC status only to provide Lifeline services to hurricane victims through the federal universal service fund. T-Mobile does not seek ETC status for any other federal or any state universal service programs.

I. T-MOBILE SATISFIES THE COMMISSION’S REQUIREMENTS FOR DESIGNATION AS AN ETC FOR THE WIRELESS LIFELINE PROGRAM.

T-Mobile is an independent commercial mobile radio service carrier that provides wireless broadband personal communications services on a nationwide basis. As further discussed below, T-Mobile’s licensed service area covers 78 of the total 90 counties in Alabama, Louisiana and Mississippi that the Federal Emergency Management Agency (“FEMA”) has designated as eligible for disaster assistance.⁴ T-Mobile also serves many of the areas where displaced Hurricane Katrina victims have relocated.

Pursuant to the *Katrina Order* and informal discussions with Commission staff, T-Mobile provides the following information in support of its temporary ETC designation: (1) a description of the wireless Lifeline service offerings that it will make available to eligible consumers; (2) a description of T-Mobile’s service area in hurricane-affected states; (3) any limitations or conditions associated with its Lifeline service offerings; (4) a description of how T-Mobile will distribute and advertise its Lifeline service offerings; and (5) a description of T-Mobile’s verification procedures for ensuring consumers’ eligibility for wireless Lifeline services. T-Mobile also certifies that it intends to offer Lifeline services pursuant to the *Katrina Order*.

A. T-Mobile Intends To Offer Two Wireless Lifeline Service Plans To Eligible Hurricane Victims.

T-Mobile intends to offer two different prepaid wireless service plans to eligible participants within approximately two weeks of Commission approval of this application. The approximate value of each plan is at least \$130. Under the first plan eligible participants who are not existing T-Mobile customers would receive free of charge a prepaid service kit

⁴ *Katrina Order*, ¶ 2 n.3.

that includes one handset, a charger, a SIM card, a battery, a hands-free device, and prepaid calling cards valued at 320 minutes of voice service. T-Mobile presently intends to offer one of three handset models in each kit – Samsung R225, Samsung C225 or Siemens CF62.⁵ The second plan, to be offered to eligible consumers who already own a T-Mobile-compatible handset, would provide free of charge to these consumers a kit of prepaid calling cards valued at \$130 of service.⁶ The second plan would be available to both existing and new subscribers of T-Mobile's prepaid services.

Subject to certain conditions discussed below, subscribers of both plans will have access to T-Mobile's data services, including t-zones (used for messaging and various types of downloads). Subscribers of both plans also will have access to voicemail, caller ID, call waiting, three-way calling, and directory assistance services.⁷ In addition, subscribers of both plans will have access to T-Mobile's national voice network and nationwide long distance voice service. Furthermore, subscribers of both plans may take advantage of wireless-to-wireless and wireline-to-wireless porting options. Wireless Lifeline subscribers will be under no contractual obligation to continue to use T-Mobile's wireless services once the temporary Lifeline service has expired. These Lifeline subscribers, however, will be entitled to purchase prepaid cards (in addition to those cards provided in the Lifeline service kits) both during and after the term of the temporary Lifeline service.

⁵ In the event that consumer demand exceeds T-Mobile's existing stock of these handsets, T-Mobile will provide subscribers with another handset of similar value and technical capability.

⁶ These prepaid calling cards are compatible with any handset that can operate on T-Mobile's network and that is equipped with a T-Mobile SIM card.

⁷ Picture messaging also would be available for those consumers with existing handsets that support picture taking and storage capabilities.

B. T-Mobile's Licensed Service Area Covers The Vast Majority Of Designated Disaster Areas.

Through its subsidiaries, T-Mobile's licensed service area covers all seven Alabama counties, 25 of the 32 Louisiana counties, and 46 of the 51 Mississippi counties, each of which has been designated by FEMA as eligible for disaster assistance.⁸ Specifically, in Louisiana T-Mobile's licensed service area includes all of the FEMA-designated counties except Assumption, Calcasieu, Cameron, Jefferson Davis, Lafourche, St. Mary, and Terrebonne. In Mississippi T-Mobile's licensed service area includes all of the FEMA designated counties except George, Hancock, Harrison, Jackson and Stone. Prepaid subscribers also have access to T-Mobile's nationwide voice network. In addition, consumers can request a "personal coverage check" at T-Mobile retail locations to confirm that they likely will be able to use T-Mobile's Lifeline services on T-Mobile's network in their neighborhood.⁹

C. Certain Limited Conditions Apply To T-Mobile's Lifeline Service Offerings.

T-Mobile will ensure that potential subscribers are informed about any limitations or restrictions that attach to its Lifeline service offerings. Specifically, the use of T-Mobile's data services will accelerate the number of minutes deemed used on the prepaid calling cards.¹⁰ In addition, under T-Mobile's existing system configuration, each prepaid calling

⁸ The call signs of T-Mobile's licenses that cover the FEMA designated disaster area include: KNLF258, KNLF618, KNLF517, WPOJ732, WPOJ736, WPOJ738, WPOL281, KNLF255, KNLF622, KNLF623 and KNLG925.

⁹ T-Mobile's network may not cover all areas within its licensed territory.

¹⁰ For example, in some cases the value of T-Mobile's data services may be greater than the value of T-Mobile's voice services. Accordingly, use of these data services may deplete a prepaid calling card more rapidly than simply using the calling card for voice service.

card automatically expires ninety (90) days after activation, regardless of minutes and/or other services used by the conclusion of that period. The prepaid calling cards also do not provide roaming capability on other carriers' wireless networks. Accordingly, a subscriber's mobile use will be limited to T-Mobile's network within its licensed service area. T-Mobile will disclose these restrictions to eligible consumers prior to distributing its Lifeline services kits.

D. T-Mobile Will Distribute And Advertise The Availability Of Its Wireless Lifeline Service Plans.

T-Mobile will undertake efforts to ensure that hurricane victims have the opportunity to obtain wireless Lifeline services. T-Mobile intends to place its wireless Lifeline service kits in certain of its retail stores throughout the counties affected by Hurricane Katrina in Alabama, Louisiana, and Mississippi. In addition, T-Mobile will offer its wireless Lifeline service kits in several cities outside the affected counties where substantial numbers of those displaced by the hurricane have relocated, including many areas in Texas, Nevada and other states. T-Mobile will closely monitor consumer demand for its Lifeline service kits and will consider modifying its distribution strategy on an as-needed basis.

Victims of Hurricane Katrina can benefit from T-Mobile's wireless Lifeline offerings only to the extent that these victims are aware of the offerings, and T-Mobile intends to advertise the availability of its Lifeline service kits in Alabama, Louisiana, Mississippi and Texas. T-Mobile also will target its advertising efforts in areas of the country that have a high concentration of displaced hurricane victims. T-Mobile will use a variety of general media outlets, such as newspaper inserts, to advertise its Lifeline offerings. In addition, T-Mobile will post information regarding its Lifeline offerings on T-Mobile's website and in its retail stores. Furthermore, T-Mobile will notify and provide a description of its Lifeline offerings to the Alabama, Louisiana, Mississippi and Texas public service commissions.

E. T-Mobile Will Take Steps To Ensure That Only Qualified Individuals Use Its Lifeline Services.

The *Katrina Order* provides that any person who is approved or found eligible by FEMA for disaster housing assistance relating to the hurricane also is eligible to participate in the wireless Lifeline program.¹¹ The *Katrina Order* also requires eligible consumers to provide documentary evidence to their Lifeline carrier that FEMA has determined that they are eligible for disaster housing assistance.¹²

To ensure that only those eligible consumers participate in the wireless Lifeline program, T-Mobile will require that before a consumer may receive a Lifeline service kit, he/she must: (1) provide a copy of a letter from FEMA demonstrating his/her eligibility for disaster housing assistance or proof that he/she has received any monies from FEMA (*e.g.*, copy of a check or proof of a direct deposit) that do not need to be repaid; (2) provide a valid photo identification; and (3) execute a self-certification attesting under penalty of perjury that he/she qualifies for the Lifeline program.¹³ In the event that consumers cannot produce the necessary documentation demonstrating that they are eligible for the Lifeline program, T-Mobile will provide them with FEMA's contact information so that they may then seek appropriate proof of eligibility.

¹¹ *Katrina Order*, ¶ 17.

¹² *Id.*

¹³ T-Mobile will continue to discuss the documentation procedures with Commission staff and may revise its verification process as necessary.

F. T-Mobile Certifies That It Intends To Offer Wireless Lifeline Services.

Pursuant to the terms of the *Katrina Order*, T-Mobile certifies that it intends to offer wireless Lifeline services to subscribers that qualify for such services.¹⁴

II. T-MOBILE’S DESIGNATION AS AN ETC TO PROVIDE WIRELESS LIFELINE SERVICES BENEFITS THE PUBLIC INTEREST.

As the *Katrina Order* described and the nation witnessed, Hurricane Katrina wreaked catastrophic damage on communities and residents of Louisiana, Mississippi and Alabama. As residents begin the task of rebuilding their lives, telephone service is essential to maintain contact with their families, find employment and housing, and access emergency 911 services. Wireless service in particular ensures that those affected by the hurricane, many of whom no longer have permanent residences and have lost the vast majority of their personal belongings, have access to the resources needed for their recovery efforts.

Temporarily designating T-Mobile as an ETC under the *Katrina Order* will serve the public interest by providing telecommunications service to potentially thousands of people who have been affected by the hurricane and may still lack any viable means to communicate with others.¹⁵ Qualified individuals – particularly those with low income and limited means – will be able to take advantage of wireless services that previously may have been unavailable to them. These services will assist the recovery and restoration efforts of those persons most adversely affected by the hurricane’s devastating damage.

¹⁴ *Katrina Order*, ¶ 21.

¹⁵ *Id.* ¶ 2.

III. CONCLUSION.

Based upon the foregoing, T-Mobile strongly urges the Commission to expeditiously designate T-Mobile as a temporary ETC so that T-Mobile may begin providing wireless Lifeline services to victims of Hurricane Katrina.

Respectfully submitted,

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November 10, 2005

CERTIFICATE OF SERVICE

I, Theresa Rollins, certify that the foregoing **APPLICATION OF T-MOBILE USA, INC.** was served on this 10th day of November, 2005, by electronic mail on:

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